

AF/3765

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November 18, 2003

(Date)

#11

Albert W. Watkins

Name of applicant, assignee, of registered representative

November 18, 2003

Signature

Date of Signature

In re:

Serial #: 09/974,714

For: Dimensional Dining Restaurant Management System

Filed: October 9, 2001

Inventor: Halverson, Helena B.

GAU: 3765

Examiner: Hoey

Docket #: Halverson-Cost

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TECHNOLOGY CENTER R3700

**REQUEST FOR WITHDRAWAL OF NOTICE OF ABANDONMENT**

The applicant's agent hereby respectfully requests that the Notice of Abandonment be withdrawn in view of the Appeal Brief filed on May 10, 2003. Upon further review subsequent to my September 12 request, which remains unanswered, I have discovered a typographical error with the serial number on the brief as filed. Please note that the other identifying information which was provided with the brief was correct, but a serial number assigned to another application was provided through typographical error and was only now discovered.. Applicant's representative respectfully requests that the original date of May 10 for the appeal brief be accepted in accord with MPEP 502 (MPEP v.8, Aug 2001 - at the time of this mailing, the more current MPEP on-line was unavailable).

Triplicate copies of the Appeal Brief are once again enclosed, with the serial number corrected herein, along with a copy of the September 12 request which includes the original return postcard acknowledging receipt of triplicate copies of the Appeal Brief on May 10.

Sincerely,

  
Albert W. Watkins

reg. 31,676

Enc.

Service Window at the following address, or delivered by private courier to:

Assistant Commissioner for Patents  
[or Commissioner of Patents and Trademarks  
or Assistant Commissioner for Trademarks]  
USPTO Office of Initial Patent Examination  
Crystal Plaza Building 2, Room 1B03  
2011 South Clark Place  
Arlington, VA 22202

Trademark-related papers may also be filed or delivered by private courier to the "walk-up" window located on the third floor of the South Tower Building, 2900 Crystal Drive, Arlington, VA. Hand delivery of trademark papers and fees directly to the South Tower Building is recommended, to expedite processing.

All correspondence related to a national patent application already filed with the U.S. Patent and Trademark Office must include the identification of the application number or the serial number and the filing date assigned to the application by the Office. Any correspondence not containing the proper identification set forth in 37 CFR 1.5(a) must be sent by the Technology Center (TC) with a signed note to OIPE for return to the sender. Each paper should be inspected to assure that the papers being returned contain either an "Office Date" stamp or a TC date stamp. A minor error in the identification of the application can be corrected by the group provided the correct identification can be quickly discovered. Examples of minor errors are transposed numbers, typographical errors, and listing the parent application number. The failure to give any application number is not a minor error. The Office often experiences difficulty in matching incoming papers with the application file to which they pertain because insufficient or erroneous information is given. This applies especially to amendments, powers of attorney, changes of address, status letters, petitions for extension of time, and other petitions.

Frequently, there are errors in the application number or in the art unit number, or the incoming paper uses the old art unit number where an application has been transferred and acted on by a different art unit.

Where the art unit number is entirely omitted, the routine operations of OIPE must be interrupted solely for the purpose of determining the location of the

application so that the communication can be properly routed. Under these circumstances, the efficiency of OIPE is impaired and the incoming paper is delayed in reaching its proper destination. Where such papers are not essential to compliance with a statutory period or time limit for reply, they may be returned for completion to identify the location of the files.

It would be of great assistance to the Office if *all* incoming papers pertaining to a filed application carried the following items:

- (A) Application number (checked for accuracy, including series code and serial no.).
- (B) Art Unit number (copied from most recent Office communication).
- (C) Filing date.
- (D) Name of the examiner who prepared the most recent Office action.
- (E) Title of invention.
- (F) Confirmation number (see MPEP § 503).

Applicants may be reminded of this provision by including form paragraph 5.01.

#### ¶ 5.01 *Proper Heading for Incoming Papers*

It would be of great assistance to the Office if all incoming papers pertaining to a filed application carried the following items:

1. Application number (checked for accuracy, including series code and serial no.).
2. Art Unit number (copied from most recent Office communication).
3. Filing date.
4. Name of the examiner who prepared the most recent Office action.
5. Title of invention.
6. Confirmation number (see MPEP § 503).

The Office prefers identifying indicia to be provided on the drawings. If such identifying indicia is provided, it must be placed on the front of each sheet of drawings and centered within the top margin. See 37 CFR 1.84(c). The identifying indicia should include the title of the invention, inventor's name, application number, and confirmation number (see MPEP § 503). If the Office has not yet assigned an application number and confirmation number to the application, the docket number (if any) used by the applicant to track the application should be provided.

When the Office receives formal or substitute drawings for patent applications after the application has been filed, a cover letter identifying the drawings